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Mr Vlamis
725-0845

Fairfield City Council
P O Box 21
FAIRFIELD 2165

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Dear Sir/Madam,

Environmental Planning & Assessment Act, 1979

NOTIFICATION OF DETERMINATION OF DEVELOPMENT APPLICATION

Pursuant to Section 92 of the Act notice is hereby given of the determination by Fairfield City Council of Development Application No. 478/95 relating to the land described as follows:-

Lot 1, DP. 515773 and Lots 34 & 35, DP. 3082, Hassall Street, Wetherill Park.

Proposed Development:- Road Materials Recycling Centre.

The development application has been determined by the granting of consent subject to the conditions specified in this notice.

The conditions of consent are set out as follows:-

AMENDMENTS

1. Development shall take place in accordance with the recommendations contained with the EIS as prepared by AGC Woodward-Clyde Pty Limited and the approved plans:-
 - a. as amended in red by Council; and
 - b. excepting as modified by the following conditions.
2. Emergency access to be used only in accordance with the conditions of TransGrid.
3. Compliance with the requirements of the Department of Land and Water Conservation in respect of erosion and sediment control measures.

4. Compliance with the requirements of the Environment Protection Authority including the obtaining of necessary Pollution Control Approvals and Pollution Control Licences.
5. Preparation of an Environmental Management Plan within 90 days of the commencement of operation of the Road Materials Recycling Centre with such Plan to include at least:
 - a. Details of a program for monitoring air quality, noise emissions, water quality in both the sedimentation basins and Prospect Creek, and leachate in underlying landfill cells;
 - b. Standard operation procedures for equipment and pollution control items (such as the sedimentation basins).

OFF-STREET CAR PARKING AND SERVICING

The following conditions have been applied to ensure that the development has provided adequate carparking and vehicular servicing areas and to prevent conflict within the public road system.

6. Provision of five (5) off-street parking spaces for employees vehicles and two (2) off street parking spaces for visitors behind the earth mounds.
7. Provision of adequate off-street parking for all plant and equipment to be garaged on the site.
8. Driveways and carparking areas shall be suitably constructed, sealed and drained in accordance with Council's Off-Street Car Parking Code.
9. Visitors parking shall be suitably signposted.
10. Driveway entry and exit (10m wide combined with a 2m x 2m driveway splay) shall be provided.
11. The entrance gate to the site is to be located a minimum of 30m within the property, to ensure trucks do not need to stop within the road reserve.
12. A system of wash mud or shake off loose stones and materials from the tyres of delivery vehicles, prior to vehicles leaving the site, is to be installed. There design details need to be shown on the engineering plans for approval.

WORKS ON ADJACENT ROADS

The following conditions have been applied to ensure that adequate and safe public access is provided to the site for both pedestrian and vehicular traffic.

13. All works to be carried out on adjacent lands under the control of Council, shall be in accordance with the standard requirements and specifications of Council and to the satisfaction of the Director, Technical Services. All approvals, permits and levels shall be obtained prior to the release of the Building Permit.

14. The developer shall construct the kerb and gutter, road shoulder and footway formation for the full frontage of Hassall Street and Widemere Road (including all drainage works). All works on roads and footways shall be constructed at no cost to Council and finalised prior to occupation. Attention is drawn to the need for separate approval of detailed engineering drawings.
15. Six (6) copies of drawings and specifications giving full details of the design and construction shall be submitted to and approved by Council prior to approval of the Building Application.
16. All work required to be carried out on the footway area fronting this development shall be in accordance with details issued by Council's Technical Services Department and subject to the payment of an appropriate fee. The approved levels must be submitted with the Building Application.
17. Satisfactory access to the proposed development shall be provided via heavy duty concrete crossings in accordance with Council's requirements. The site access road should be sealed a minimum of 30 metres into the property. The access road should be kept clean at all times.
18. On completion of all works, the footway adjacent to the development shall be regraded (in accordance with levels to be obtained from Council's Technical Services Department) topsoiled and turfed.
19. Adjustments to the public utilities necessitated by the development shall be completed prior to occupation of the premises and in accordance with the requirements of the relevant Authority.

SERVICES

The following conditions have been applied to ensure that adequate utility installations are provided to the site to serve the development and to satisfy the requirements of the relevant planning instrument.

20. The applicant shall submit an application to Integral Energy giving details of the proposed development together with two (2) copies of the ground floor plan for determination of electricity supply requirements. Integral Energy may require a sub-station on site with appurtenant easements to be granted. In this regard the applicant is to submit a letter from Integral Energy to the effect that all Integral Energy's requirements have been satisfied prior to the release of the Building Approval.

LANDSCAPING

The following condition/s have been applied to ensure that adequate provision has been made for the landscaping of the land.

21. A landscape plan shall be submitted with the Building Application. Such landscape plan shall be prepared by a qualified landscape architect or suitably qualified persons knowledgeable in the field. Landscape plans shall contain the following information:-
 - a. Outline of the proposed building;
 - b. Existing trees (height and location);
 - c. Trees to be removed;
 - d. Proposed planting (quantity, species and expected mature height).
 - e. Proposed earth mounding;
 - f. Paths and paving (location and materials); and
 - g. The method of planting and the proposed maintenance program.
22. Landscaping shall be completed to the satisfaction of Council in accordance with the approved plans. All landscaping shall be maintained to Council's satisfaction.
23. Council shall require intensive landscape work to screen any proposed padmounted substation which may be constructed by Integral Energy on the premises.

SITE OPERATION

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

24. The off-street carparking spaces together with access driveways shall be made available at all times to staff and customers.
25. The portion of the site not the subject of this approval shall be maintained in a clean and tidy state at all times.
26. Hours of operation shall be from 7.00am to 4.30pm Monday to Friday and 7.00am to 4.00pm Saturday. These hours of operation shall be subject to review by Council in the event of any objections regarding noise nuisance etc. being received.
27. All vehicular entries and exits associated with the development shall be made in a forward direction.
28. The use of the public roads (ie. Hassall Street and Widemere Road) for the purpose of loading or unloading of goods is prohibited.

LOCAL GOVERNMENT ACT

The following conditions have been applied to ensure that the development complies with the provisions of the Local Government Act and the Building Code of Australia (BCA).

29. A building application accompanied by three (3) copies of plans and specifications shall be submitted to Council in accordance with Part 2 Division 1 Local Government (Approvals) Regulation 1993 for all new buildings and structures.

CLEAN WATERS ACT AND STORMWATER DRAINAGE

The following conditions have been applied to ensure that the development complies with the provisions of the Clean Waters Act, 1970, and to ensure that stormwater drainage collected on and/or passing through the site is conveyed through a controlled system to prevent nuisance and damage to the subject land and adjacent land.

30. Satisfactory arrangements shall be made for the disposal of stormwater. Such work shall be in accordance with detailed plans submitted to and approved by Council. The applicant is advised that stormwater drainage is viewed not only as piped drainage but also as surface flows.

31. A plan showing the natural surface and finished surface contours to A.H.D shall be submitted with the Building Application. The natural surface contours shall be extended into the adjoining properties. The finished surface contours shall be of such an interval as to give a true representation of the proposed regrading of the site. If so desired, the finished surface contours may be presented in red pen on a single print of a site plan which shows proposed finished surface spot levels.

32. The applicant shall submit, for approval with the Building Application, a detailed Stormwater Management Scheme for the subject site. The scheme shall detail the methods of implementation and maintenance as well as the method of capture of water borne material generated from the site. This scheme shall address the construction period i.e. erosion and sediment controls, future occupation when appropriate i.e. pollution controls.

33. No works, including clearing, shall be commenced on the subject site until the Stormwater Management Scheme has been approved by Council and implemented by the applicant.

CLEAN AIR ACT

The following conditions have been applied to ensure that the development complies with the provisions of the Clean Air Act, 1961.

34. The use shall at all times be conducted without nuisance and in particular so as not to give rise to emission of air impurities in contravention of the Clean Air Act.

35. The burning of waste of any kind is prohibited under the Clean Air Act, 1961. All waste materials shall be stored in suitable containers which shall be located in a suitably constructed screened area/room. All waste material arising on the premises shall be removed weekly or as directed by Council's Health Surveyor.

NOISE CONTROL ACT

The following conditions have been applied to ensure that the development complies with the provisions of the Noise Control Act, 1975.

36. The use and occupation of the premises including all plant and equipment installed thereon, not giving rise to any offensive noise or vibration from the premises within the meaning of the Noise Control Act, 1975.

NOTE: Section 97 of the Act confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court exercisable within twelve (12) months after receipt of this notice.

This consent shall lapse unless development, the subject of this consent, is commenced within two (2) years from the endorsed date of consent or as otherwise provided under Section 99 of the Act.

C. C. WESTON
MANAGER ENVIRONMENTAL APPROVALS

Per.